

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

H. SCOTT DALLEY,

Plaintiff,

HONORABLE PAUL L. MALONEY

v.

Case No. 1:07-cv-565

DYKEMA GOSSETT, et al

Defendant.

_____ /

ORDER TERMINATING REFERRAL OF MOTION TO MAGISTRATE JUDGE

On July 30, 2007, Plaintiff filed a Motion for Leave to File Plaintiff's First Amended Complaint (Dkt. #21). Shortly thereafter, the motion was referred to Magistrate Judge Ellen S. Carmody pursuant to 28 U.S.C. § 636(b)(1)(A). Magistrate Judge Carmody has scheduled a hearing on the motion for September 26, 2007. On August 10, 2007, this case was transferred to the undersigned. Upon review of the pleadings filed to date in this action, the Court notes two other motions are currently pending as well. The motions are Defendants' Motion to Dismiss (Dkt. #15) and Plaintiff's Motion to Remand (Dkt. #17), both of which are dispositive in nature and potentially render the motion to amend the complaint moot. Accordingly, this Court has determined that it is in the best interests of the parties and the Court to resolve the dispositive motions before the motion to amend. Therefore:

IT IS HEREBY ORDERED that the referral of the Motion for Leave to File Plaintiff's First Amended Complaint (Dkt. #21) to Magistrate Judge Ellen S. Carmody is terminated.

The hearing on the motion scheduled for September 26, 2007, before Magistrate Judge Carmody, is cancelled without date.

Date: September 18, 2007

/s/ Paul L. Maloney

Paul L. Maloney
United States District Judge